

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

BRENDA A. COMPELUBE,

Plaintiff,

vs.

MICHAEL J. ASTRUE, Commissioner,
Social Security Administration,

Defendant.

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CIV-10-683-D

ORDER

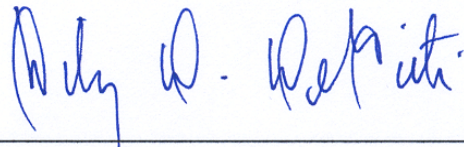
Plaintiff brought this action pursuant to 42 U.S.C. §405(g) for review of the Commissioner of Social Security Administration's decision denying Plaintiff's application for disability benefits. The matter was referred to United States Magistrate Judge Bana Roberts for initial proceedings in accordance with 28 U.S.C. §636 (b)(1)(B). The parties fully briefed their respective positions and, on February 17, 2011, the Magistrate Judge filed a Report and Recommendation [Doc. No. 18] in which she recommended that the Commissioner's decision be reversed and that the matter be remanded for further proceedings.

In the Report and Recommendation, the Magistrate Judge advised the parties of their right to file objections to the same; she scheduled a March 9, 2011 deadline for filing such objections. The Magistrate Judge also expressly cautioned the parties that a failure to object to the Report and Recommendation would constitute a waiver of the right to appeal the findings and conclusions contained therein. The deadline for filing objections has expired, and neither party has filed objections or sought an extension of time in which to do so.

Accordingly, the Report and Recommendation [Doc. No. 18] is adopted as though fully set forth herein. For the reasons set forth in the Report and Recommendation, the decision of the

Commissioner denying Plaintiff's application for disability benefits is REVERSED and this matter is REMANDED for further proceedings.

IT IS SO ORDERED this 22nd day of March, 2011.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE